

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

CASE NO. 1:12-cv-2296-TCB

Securities and Exchange Commission,

Plaintiff,

vs.

Aubrey Lee Price, PFG, LLC, PFGBI,
LLC, Montgomery Asset Management,
LLC f/k/a PFG Asset Management,
Montgomery Asset Management, LLC
f/k/a PFG Asset Management,

Defendants.

_____/

Genworth Life Insurance Company,
Protective Life Insurance Company,
Household Life Insurance Company,

Plaintiffs in Intervention,

vs.

Melanie E. Damian, as Receiver for the
Estate of Aubrey Lee Price, PFG, LLC,
PFGBI, LLC, Montgomery Asset
Management, LLC f/k/a PFG Asset
Management,

Defendant in Intervention.

_____/

**THE RECEIVER'S STATEMENT OF UNDISPUTED FACTS IN
SUPPORT OF HER MOTION FOR SUMMARY JUDGMENT**

1. Defendant in Intervention, Melanie E. Damian, as the Receiver for the Estate of Aubrey Lee Price, *et al.* (the “Receiver”), hereby submits this Statement of Undisputed Facts in conjunction with her Motion for Summary Judgment and Incorporated Memorandum of Law (the “Motion”) in accordance with Local Rule 56.1(B).

2. The parties to this matter have previously stipulated to two different statements of undisputed facts, including (1) a Joint Statement of Stipulated Facts [D.E. 210] (designated “Stipulation I” in the Receiver’s Motion), and (2) a Joint Supplemental Statement of Stipulated Facts [D.E. 231] (designated “Stipulation II” in the Receiver’s Motion). Stipulation I and Stipulation II are incorporated by reference into the Motion as Exhibits “A” and “B,” respectively. Stipulation I and Stipulation II are also attached hereto as Exhibits “A” and “B,” respectively, to which the Receiver refers the Court in satisfaction of Local Rule 56.1(B).

3. The parties have also stipulated that all of the records produced in discovery in this matter are accurate and authentic copies of their respective business records. Stipulation II at ¶ 2. Household Life Insurance’s Company’s documents bear the Bates label “Household” and Protective Life Insurance Company’s documents bear the Bates label “Protective.” These records are incorporated by reference into the Motion accordingly.

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Respectfully submitted,

VER PLOEG & LUMPKIN, P.A.

/s/ Jason S. Mazer _____

Jason S. Mazer

Florida Bar No. 0149871

jmazer@vpl-law.com

Matthew L. Baldwin

Florida Bar No. 27463

mbaldwin@vpl-law.com

100 S.E. 2nd Street, 30th Floor

Miami, Florida 33131

Telephone: (305) 577-3996

Facsimile: (305) 577-3558

*Special Insurance Counsel for the
Receiver, Admitted Pro Hac Vice*

and

DAMIAN & VALORI, LLP

Kenneth Dante Murena, P.A.

Florida Bar No. 147486

kmurena@dvllp.com

Guy F. Giberson, P.A.

Florida Bar No. 627402

ggiberson@dvllp.com

1000 Brickell Avenue, Suite 1020

Miami, Florida 33131

Telephone: (305) 371-3960

Facsimile: (305) 371-3965

*Counsel for the Receiver,
Admitted Pro Hac Vice*

and

**PETITT WORRELL CRAINE
WOLFE, LLC**

Andrew Worrell, Esquire

Georgia Bar No. 311027

CASE NO. 1:12-cv-2296-TCB

Andrew@petittworrell.com
Suite 1030, One Glenlake
1 Glenlake Parkway
Atlanta, Georgia 30328
Telephone: (404) 249-7480
Facsimile: (404) 442-4463
Co-Counsel for the Receiver

LOCAL RULE 5.1 CERTIFICATION

By signature below, counsel certifies that the foregoing document was prepared in Times New Roman, 14-point font in compliance with Local Rule 5.1B.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on January 20, 2015 I electronically filed the foregoing document with the Clerk of Court using CM/ECF. I also certify that the foregoing document is being served this day on all counsel of record identified on the attached Service List in this manner specified, *via* transmission of Notice of Electronic Filing generated by CM/ECF or in some other authorized manner for those counsel or parties who are not authorized to receive electronically Notice of Electronic Filing.

/s/ Jason S. Mazer
Jason S. Mazer

SERVICE LIST	
<p>Madison Graham Loomis, Esq. W. Shawn Murnahan, Esq. Securities & Exchange Commission- GA 950 East Paces Ferry Road, N.E. Suite 900 Atlanta, Georgia 30326 Telephone: (404) 842-7600 Email: loomism@sec.gov Email: murnahanw@sec.gov <i>Securities and Exchange Commission</i></p>	<p>Robert J. Waddell, Jr., Esq. Laura E. Reinhold, Esq. MCGUIRE WOODS, LLP Suite 2100, Promenade II 1230 Peachtree Street, N.E. Atlanta, Georgia 30309 Telephone: (404) 443-5500 Email: rwaddell@mcguirewoods.com Email: lreinhold@mcguirewoods.com <i>Counsel for FDIC</i></p>
<p>Peter D. Muller GOODMAN MCGUFFEY LINDSEY & JOHNSON, LLP Suite 300 532 Stephenson Avenue Savannah, GA 31405-5987 Telephone: (912) 503-2170 pmuller@gmlj.com <i>Counsel for Receiver, Melanie Damian</i></p>	<p>David J. Forestner, Esq. CARLTON FIELDS JORDEN BURT, P.A. One Atlantic Center, Suite 3000 1201 W. Peachtree Street Atlanta, Georgia 30309 Telephone: (404) 815-3400 Email: dforestner@cfjblaw.com <i>Counsel for Plaintiff in Intervention, Genworth Life Insurance Company</i></p>
<p>C. Andrew Kitchen, Esq. MAYNARD, COOPER & GALE, P.C. 275 Battery Street Suite 1350 San Francisco, California 94111 Telephone: (415) 704-7433 Email: dkitchen@maynardcooper.com <i>Counsel for Plaintiffs in Intervention, Protective Life Insurance Company and Household Life Insurance Company</i></p>	<p>Raul Cuervo, Esq. CARLTON FIELDS JORDEN BURT, P.A. 100 S.E. 2nd Street Suite 4200 Miami, Florida 33131 Telephone: (305) 530-0050 Email: rcuervo@cfjblaw.com <i>Counsel for Plaintiff in Intervention, Genworth Life Insurance Company</i></p>

<p>Christopher C. Frost, Esq. Alexander B. Feinberg, Esq. MAYNARD, COOPER & GALE, P.C. 1901 Sixth Avenue North 2400 Regions Harbert Plaza Birmingham, Alabama 35203 Telephone: (205) 254-1186 Email: cfrost@maynardcooper.com Email: afeinberg@maynardcooper.com <i>Counsel for Plaintiffs in Intervention, Protective Life Insurance Company and Household Life Insurance Company</i></p>	<p>Philip Keith Lichtman MILLS, PASKERT, DIVERS P.C. One Atlantic Center 1201 West Peachtree Street Suite 2610 Atlanta, Georgia 30309 Telephone : (404) 870-8200 klichtman@mpdlegal.com <i>Counsel for Plaintiffs in Intervention, St. Paul Mercury Insurance Company</i></p>
<p>Alan Francis Curley ROBINSON CURLEY & CLAYTON, P.C. 300 South Wacker Drive Chicago, IL 60606 Telephone: (312) 663-3100 acurley@robinsoncurley.com <i>Counsel for Federal Deposit Insurance Corporation (“FDIC”)</i></p>	